

MATTHEW G. BALL (State Bar No. 208881)
matthew.ball@klgates.com

K&L GATES LLP
55 Second Street, Suite 1700
San Francisco, California 94105-3493
Telephone: (415) 882-8200
Facsimile: (415) 882-8220

IRENE C. FREIDEL (admitted *pro hac vice*)
irene.freidel@klgates.com

NAOKA E. CAREY (admitted *pro hac vice*)
naoka.carey@klgates.com

K& L GATES LLP
State Street Financial Center
One Lincoln Street
Boston, MA 02111
Telephone: (617) 261-3100
Facsimile: (617) 261-3175

Attorneys for KB HOME

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

HUGO ZALDANA and GARY GUARDINEER,
individually, and on behalf of all others similarly
situated,

Plaintiffs,

v.

KB HOME, a Delaware corporation;
COUNTRYWIDE FINANCIAL
CORPORATION dba COUNTRYWIDE HOME
LOANS, a Delaware corporation; and
FIRST AMERICAN TITLE COMPANY, a
California corporation,

Defendants.

Case No. CV-08-3399 MMC

(Judge Maxine M. Chesney)

**STIPULATION AND ~~[PROPOSED]~~
ORDER TO RESCHEDULE MARCH
6, 2009 CASE MANAGEMENT
CONFERENCE**

STIPULATION

WHEREAS, this action was originally filed on July 15, 2008;

WHEREAS, Plaintiffs filed a First Amended Complaint on or about October 9, 2008;

WHEREAS, the Defendants filed Motions to Dismiss the First Amended Complaint, which Motions were granted by this Court in whole (with respect to Defendants Countrywide Financial Corporation and First American Title Company) and in part (with respect to Defendant KB Home) pursuant to its February 10, 2009 Order ("Order");

WHEREAS, the Order further stated that, to the extent plaintiffs may be able to cure deficiencies in the First Amended Complaint, Plaintiffs have leave to file a Second Amended Complaint, which shall be filed no later than March 13, 2009;

WHEREAS, Plaintiffs presently intend to file a Second Amended Complaint;

WHEREAS, a Case Management Conference in this matter is currently scheduled for March 6, 2009;

WHEREAS, the parties agree that, in the interests of judicial economy, it is desirable to continue the Initial Case Management Conference until after the Second Amended Complaint is filed or after any motions to dismiss the Second Amended Complaint are resolved depending on the content of the Second Amended Complaint.

WHEREFORE, in the interest of judicial economy, the parties hereby agree and stipulate, and request that the Court continue the Initial Case Management Conference to a date to be determined by further stipulation and proposed order to be submitted no later than March 20, 2009. The parties further agree that the corresponding deadlines to serve their initial disclosures, file a Rule 26(f) report, and file a case management conference statement are similarly continued.

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IT IS SO STIPULATED.

HAGENS BERMAN SOBOL SHAPIRO LLP
LAW OFFICE OF PETER B. FREDMAN

REED SMITH LLP

BRYAN CAVE LLP

K & L GATES LLP

ECF CERTIFICATION: Matthew G. Ball, the filer of this ECF Document, hereby certifies that the concurrence to this stipulation has been obtained by ECF registrants Marshall C. Wallace, Robert E. Boone III and Peter B. Fredman on behalf of their respective clients in this case.


/s/
Matthew G. Ball

ORDER

Pursuant to the stipulation of the parties, and good cause appearing therefore, the March 6, 2009 Case Management Conference ~~shall be continued to be determined by further stipulation and proposed order to be submitted no later than March 20, 2009.~~ is continued to June 12, 2009. The corresponding deadlines for the parties to serve their initial disclosures, file a Rule 26(f) report, and file a case management conference statement are similarly continued. Should the parties, after the SAC is filed, determine an earlier date is preferable, they may submit a joint stipulation to that effect.

IT IS SO ORDERED

Dated: February 20, 2009


Hon. Maxine M. Chesney
United States District Court Judge